

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

ANTONIA HARVEY,

Plaintiff,

v.

**SAV-U-CAR RENTAL, TOYOTA MOTOR
COMPANY, BRENDA LYN STEVENS,
ABC CORPORATION, and SIMEON
CLERCENT,**

Defendants.

2007-CV-0115

**TO: Martial A. Webster, Sr., Esq.
Rachelle Shocklee, Esq.
Simone R.D. Francis, Esq.
Amelia B. Joseph, Esq.**

ORDER

THIS MATTER came before the Court upon Plaintiff's Motion For Service by Certified Mail (Docket No. 70) and Motion to Deem Conceded Plaintiff's Motion For Service by Certified Mail (Docket No. 71). This order is issued without necessity of response.

Having reviewed the said motions and upon due consideration thereof, the Court finds that substituted service is not warranted under the circumstances. Counsel for Plaintiff represents that he has been in contact with Defendant Brendalyn Stevens and

knows where she resides. Thus, Plaintiff is capable of effectuating personal service pursuant to the rules. As it is apparent that Plaintiff desires to avoid the cost of such personal service, the Court directs Plaintiff to comply with Fed. R. Civ. P. 4(d) regarding waiver of service of process.

Accordingly, it is now hereby **ORDERED**:

1. Plaintiff's Motion For Service by Certified Mail (Docket No. 70) is **DENIED**.
2. Plaintiff's Motion to Deem Conceded Plaintiff's Motion For Service by Certified Mail (Docket No. 71) is **DENIED**.

ENTER:

Dated: September 8, 2009

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE